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58-2000-145X

ENCLOSURE

60 JAN 22 1948

November 1, 1941

Hon. Francis Biddle
U. S. Attorney General
Department of Justice
Washington, D. C.

Dear Mr. Biddle:

In the press of October 31, 1941, appeared a report from the Browne-Bioff trial in New York quoting Bioff "That he (Schenck) had bought $200,000 worth of 20th Century-Fox stock for Murray Garsson, and that he (Schenck) eventually would have to convert it into cash for him (Garsson)."

This testimony imputes dishonesty to Garsson in the investigation of defaulted securities of Paramount Pictures, Inc., while Garsson was a special investigator for the House Committee Investigating Real Estate Bondholders' Reorganizations and Security Defaults, of which Hon. A. J. Sabath was chairman. Garsson then was under oath to the United States of America and owed allegiance to the Congress of the United States.

I was the Chief Investigator of the Sabath Committee. Our work affected the welfare of some nine million people. Principally they were trusting, frugal investors whose savings supply most of the money for our capitalistic economy. They were entitled to honest disclosure of circumstances which brought them misfortune, but which were beyond their ken.

It is for the sake of these millions, of whom thousands were ruined by ignorant and greedy financing, and of whom many were brought to untimely death, as well as for my own ethical self-respect that I request the Department of Justice to make a full investigation of this charge against Garsson made by Bioff. Either Garsson's innocence ought be substantiated or a legal basis for his indictment be established. If, guilt be proved, he should be punished to the full extent of the law.

Respectfully yours,

J. L. Tupy

Home address:
1531 W. Falkland Lane
Silver Spring, Maryland

Office address:
1001 Vermont Avenue (F.H.A.) Room 700
Washington, D. C.

123-51-15

Mar 30 5-5-42

Mort Gt. Schweinhart

SEVENTY-SEVENTH CONGRESS

A. J. SABATH, ILL., CHAIRMAN
E. E. COX, GA.
HOWARD W. SMITH, VA.
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WILLIAM M. COLMER, MISS.
WILLIAM L. NELSON, MO.
JACK NICHOLS, OKLA.

HAMILTON FISH, N. Y.
LEO E. ALLEN, ILL.
EARL C. MICHENER, MICH.
CHARLES A. HALLECK, IND.

House of Representatives U. S.

Committee on Rules

Washington, D. C.

June 23, 1942.

Hon. Thomas C. Corcoran,
1016 Investment Building,
15th & K Streets, N.W.,
Washington, D. C.

Friend Corcoran:

Enclosed is a true statement of facts in the matter which I discussed with you.

You can assure the Attorney General that this man has been personally known to me for many years and I believe the statement sets forth clearly what the situation is. If necessary for me to talk with the Attorney General, I will be pleased to do so, although today we have up in the House a large appropriation bill and immediately after adjournment we will have a caucus. Therefore, it would be difficult for me to get away.

You may explain to the Attorney General that I am deeply interested and would, therefore, dislike very much that he be included in any possible indictments in view that he is not guilty of anything upon which he could possibly be convicted.

With my personal regards, I am

Sincerely yours,

A. J. Sabath

June 25, 1942

123-51-15

Mr. Mathias Correa
United States Attorney
New York, N. Y.

Dear Mat:

Congressman Sabath of Illinois brought the enclosed memorandum to the attention of the Attorney General.

The Attorney General would be interested in knowing what the situation is.

Many thanks.

Sincerely yours,

William V. Pacelli
Alderman 20th Ward
Chicago, Ill
witness in Browne-Bioff Dean trial -
is ill -

DEPARTMENT OF JUSTICE

UNITED STATES ATTORNEY

SOUTHERN DISTRICT OF NEW YORK

NEW YORK, N. Y.

ADDRESS REPLY TO UNITED STATES ATTORNEY AND REFER TO INITIALS AND NUMBER

MFC:AO

FILED
JUL 28 1945

July 2, 1942.

Ugo Carusi, Esq.,
Executive Assistant to the
Attorney General,
Department of Justice,
Washington, D.C.

Dear Ugo:

Thank you for your note of June 25 and the enclosed memorandum of Congressman Sabath.

I take it you know the Attorney General called me on the telephone about the subject, and I believe the matter has been satisfactorily settled.

Sincerely,

FILE

123 - 51 - 15

The Honorable,
The Attorney General.

March 23, 1943.

In order to further my investigation, it is necessary that I obtain from the United States Attorney at New York, or any investigative agency which may have assisted him in his investigation, all evidence establishing or tending to establish unlawful activities, not confined to the operation of the International Alliance of Theatrical Stage Employees, on the part of any person or persons resident in the Northern District of Illinois who may be regarded as a member or associate of the Capone-Nitti group or as one who profited by or participated in this group's activities. To this end I have directed a letter to the United States Attorney at New York, a copy of which is enclosed herewith for your information. Your kind assistance in securing the material requested will be greatly appreciated.

With best wishes for your continued good health, I am,

Respectfully,

J. ALBERT WOLL,
United States Attorney.

Enclosures.

Not received in Dept Division with original letter. 3-25-43. Ea

It was held in the office of Mr. Clark. After considerable discussion concerning my request, I was informed that the books and records of the International Alliance of Theatrical Stage Employees would not be turned over to me. I was further advised that I should cease that part of my investigation which pertained exclusively to the affairs of the I.A.T.S.E. and the conduct of its officers in carrying on the affairs of this particular Union. On the other hand, however, I was assured by all present that the United States Attorney at New York would confine his inquiry entirely to the operations of the I.A.T.S.E. and would not interest himself in other activities of those dominating this Union. It was my understanding that all evidence concerning other activities of Browne, Bioff, and Dean, and other Chicago persons, whether associated with this Union or not, would be brought to my attention for investigation and possible prosecution by me. Shortly after this conference, the substance of this understanding was incorporated in a letter sent me by The Assistant to the Attorney General, James Rowe, Jr.

Since the return of the indictments in New York against Frank Nitti and the six other Chicago members of the Capone-Nitti gang, numerous articles have appeared in the local newspapers to the effect that a grand jury in the Southern District of New York now intends to investigate further activities of persons connected with the Capone-Nitti gang and other Chicagoans who may have dealt with them, particularly lawyers, politicians, and purportedly reputable businessmen. From these articles it appears that this investigation will not be restricted to the affairs of the International Alliance of Theatrical Stage Employees but will be expanded to embrace all activities of the Capone-Nitti gang in Chicago, its associates and helpers, and other persons who may have profited by this gang's activities. I realize, of course, that too much reliance cannot be placed on what is stated in newspapers and, realizing this, I am continuing my investigation into the racketeering situation in Chicago, on the assumption that the agreement reached at the conference in Washington will be observed.

The Honorable,
The Attorney General.

March 23, 1943.

I am informed that some time after their conviction Browne, Bioff, and Dean made statements to the United States Attorney to the effect that Frank Nitti, Paul Ricca, and the other individuals indicted on March 19, 1943, were participants in the extortions perpetrated against the various motion picture producing companies and shared in the fruits of the extortions. As a result of these statements and some corroborative evidence, the indictments above mentioned were returned on March 19, 1943.

Prior to the conviction of Browne, Bioff, and Dean on extortion charges in New York in 1941, I had initiated an investigation into the racketeering situation in Chicago, particularly in so far as it concerned control and domination of labor unions by members of the so-called Capone-Nitti gang. I, of course, was aware that Browne, Bioff, and Dean were members of, or associated with, this gang in Chicago. I was likewise aware that if any extortions were attempted or effected by Browne, Bioff, and Dean, that other members of the Capone-Nitti gang must necessarily have participated in these unlawful acts. It being apparent, therefore, that these unlawful acts, if committed, were committed almost exclusively by individuals living in Chicago, I felt it necessary, in the conduct of my investigation, to secure all the evidence relating to these unlawful acts, presented to the grand jury in New York which returned indictments against Browne, Bioff, and Dean. I therefore requested evidence and, in particular, asked that the United States Attorney at New York turn over to me the books and records of the International Alliance of Theatrical Stage Employees, of which Union Browne, Bioff, and Dean were officers.

As a result of this request, a conference was held in Washington in March, 1942. Assistant Attorneys General Samuel O. Clark, Wendell Berge, United States Attorney Correa and his Assistant Boris Kostelanetz, Assistant United States Attorney Earle C. Hurley, and I attended this conference.

Department of Justice

OFFICE OF UNITED STATES ATTORNEY
NORTHERN DISTRICT OF ILLINOIS
450 UNITED STATES COURT HOUSE
CHICAGO

IN REPLY REFER TO INITIALS AND NUMBER

J.A.Woll:LM.

March 23, 1943.

The Honorable,
The Attorney General,
Washington, D. C.

Dear General:

On March 19, 1943, two indictments were returned by a Federal grand jury sitting in the Southern District of New York against Frank Nitti, Paul Ricca, Louis Campagna, Phil D'Andrea, Charles Gioe, Frank Maritote, Ralph Pierce, and John Roselli. These indictments charged a violation of the anti-racketeering act and violations of the mail fraud statute. All of the persons indicted, with the exception of John Roselli, have been and are residents of Chicago, are members of the infamous Capone-Nitti gang, and for a number of years have been engaged in numerous racketeering activities in this city.

These indictments, I understand, are the outgrowth of an investigation which originated as a result of a conviction, in the Southern District of New York, of Joseph Schenck on income tax evasion charges. After his conviction, Schenck produced evidence indicating that George Browne, Willie Bioff, and Nick Dean, then officers of the International Alliance of Theatrical Stage Employees, had extorted money from numerous motion picture producing companies. As a result of an investigation into these payments, the Federal grand jury in the Southern District of New York returned indictments against Browne, Bioff, and Dean, and these three individuals subsequently were convicted and sentenced to imprisonment. Browne, Bioff, and Dean, prior to and at the time of their conviction, were residents of Chicago and members of, or associated with, the Capone-Nitti gang.

123-57-15

P 8 '43

SAMUEL O. CLARK, JR.
ASSISTANT ATTORNEY GENERAL

Department of Justice

Washington

March 26, 1943

MEMORANDUM FOR ASSISTANT ATTORNEY GENERAL BERGE

I am attaching hereto an original letter from United States Attorney Woll to the Attorney General dated March 23, 1943 which was referred to the Tax Division. In this letter Mr. Woll requests that United States Attorney Correa turn over to him all evidence in Mr. Correa's possession respecting the unlawful activities of the Capone-Nitti group, except possibly evidence concerning the operations of I.A.T.S.E. Mr. Woll has directed a letter to this effect to Mr. Correa but apparently he neglected to enclose a copy with his letter to the Attorney General.

As you know, the only interest of the Tax Division in this situation arises from the fact that the various investigations referred to in Mr. Woll's letter had their genesis in an income tax investigation of Joseph Schenck and Willie Bioff. Since you are handling the Washington work connected with these investigations, I suggest that you answer Mr. Woll's letter. I shall, of course, be glad to afford you any assistance you may desire.

Samuel O. Clark Jr.

SAMUEL O. CLARK, JR.,
Assistant Attorney General

Attach.

cc Mr. Rowe

123-57-15

DEPARTMENT OF JUSTICE

UNITED STATES ATTORNEY
SOUTHERN DISTRICT OF NEW YORK
NEW YORK, N. Y. ek
(7)

ADDRESS REPLY TO "UNITED STATES ATTORNEY" AND REFER TO INITIALS AND NUMBER

BK
86447
C114-101

CRIMINAL DIVISION
DEC 27 1943
RECEIVED

December 24, 1943

The Attorney General
Washington, D. C.

Attention: Honorable Tom C. Clark,
Assistant Attorney General.

Re: United States v. Frank Nitto, et al.
(Anti-Racketeering)

Sir:

In connection with the trial of the above captioned case, I wish to advise you that on Wednesday, December 22, 1943, a verdict of guilty was found against all the defendants on trial. The names of these defendants are as follows: Louis Compagna, Paul deLucia, Phil D'Andrea, Francis Maritote, Charles Gioe, John Rosselli, and Louis Kaufman.

The court set December 30, 1943 as the date of sentence.

Respectfully,

Boris Kostelanetz

BORIS KOSTELANETZ,
Special Assistant to
the Attorney General.

123-51-18

ADDRESS REPLY TO
"UNITED STATES ATTORNEY"
AND REFER TO
INITIALS AND NUMBER

BK
86447
C114-101

DEPARTMENT OF JUSTICE

UNITED STATES ATTORNEY
SOUTHERN DISTRICT OF NEW YORK
NEW YORK, N. Y. ek
(7)

December 31, 1943

The Attorney General
Washington, D. C.

Re: United States v. Frank Nitto, et al.

Sir:

I wish to advise you that Honorable John Bright, United States District Judge, has today imposed sentence with respect to the defendants below as follows:

Louis Compagna	10 years and $10,000 fine
Paul de Lucia	10 years and $10,000 fine
Phil D'Andrea	10 years and $10,000 fine
Francis Maritote	10 years and $10,000 fine
Charles Gioe	10 years and $10,000 fine
John Rosselli	10 years and $10,000 fine
Louis Kaufman	7 years and $10,000 fine

Judge Bright granted bail pending appeal only as to Louis Kaufman. He denied bail as to the other defendants.

Respectfully,

Boris Kostelanetz

BORIS KOSTELANETZ,
Special Assistant to
the Attorney General.

FOR VICTORY BUY UNITED STATES WAR BONDS AND STAMPS

cc 5-3-94

CR. DIV. - CR. ADM.

PINTO & MARCANTONIO
COUNSELORS AT LAW

MICHAEL F. PINTO
VITO MARCANTONIO

BENJAMIN F. KARPAY
JOSEPH B. SANSONE
MICHAEL JACOWITZ

ELEVEN PARK PLACE
NEW YORK

CORTLANDT 7-3110

February 17th, 1945.

Hon. Charles Fahy,
Solicitor General of the United States,
Washington, D. C.

Re: Francis Maritote v.
TheUnited States of America

My dear Sir:

Enclosed you will please find notice of the filing of a petition for a writ of certiorari in the above matter on February 12th, 1945, in the Supreme Court of the United States, together with a copy of said petition and brief.

The record has been filed with the said Court by William Scott Stewart representing several other petitioners who were co-defendants in the indictment. We have been informed by the Clerk that the filing and service of additional copies of the record is not necessary.

Will you kindly note your admission of service on the original and return same without delay so that it may be filed within the time alloted, and do us the courtesy of filing same with the Clerk of the Court without delay. Accept our appreciation and thanks therefor.

Very truly yours,

PINTO & MARCANTONIO

By Benjamin D. Stein

2/19/45 Copy filed
Copy returned

123-57-18

BDS/ch
Enc.

Filed

DEPARTMENT OF JUSTICE
Room 1404
UNITED STATES COURT HOUSE
Foley Square
New York 7, N.Y.

May 11, 1945

123-51-18

CRIMINAL DIVISION
ASSIGNMENT SECTION
MAY 14 1945
DOCKETED

Honorable Tom C. Clark
Assistant Attorney General
Department of Justice
Washington 25, D.C.

Re: United States v. Compagna, et al.
(Your reference: TCC:WAP:MN)

Sir:

I wish to acknowledge the receipt of your letter, dated May 5, 1945, enclosing communications from one Harold V. Smith, business representative, International Sound Technicians, to Senators James E. Murray, Richard B. Russell, and Brien McMahon, together with notations from the respective Senators. Your letter of May 5 errs in referring to mail fraud indictments against George Browne and William Bioff. The facts are briefly as follows:

On March 18, 1943, the United States Grand Jury for the Southern District of New York filed two indictments charging violations of the Anti-Racketeering Act and of the mail fraud statute. The first indictment named nine defendants: Frank Nitto, Louis Compagna, Paul de Lucia, Phil D'Andrea, Francis Maritote, Charles Gioe, Ralph Pierce, John Rosselli, and Louis Kaufman. The second indictment, charging mail fraud and relating to a union 2% Assessment Fund, named all the foregoing individuals as defendants except Kaufman.

Since the indictments could not be tried together, the Government elected to try the anti-racketeering indictment first. This case was successfully prosecuted and a conviction was obtained on December 31, 1943. Each of the named defendants except Kaufman, Nitto, and Pierce received the maximum punishment which could be imposed under the statute, namely imprisonment for

a period of ten years and a fine of $10,000. Kaufman was sentenced to serve seven years in prison and was fined $10,000. Nitto committed suicide on the day that the indictments were returned, and the indictment against Pierce was dismissed by the Court at the end of the Government's case. Thereafter, a writ of habeas corpus ad prosequendum was issued for the convicted racketeers and on March 8, 1944, pursuant to that writ they were brought to court to fix a date for the trial of the 2% Assessment case. Defense counsel then requested that the trial of the 2% Assessment case be adjourned until a final disposition, involving the completion of appellate steps, had been made in the anti-racketeering case. The Court granted this request and accordingly the case was marked off the calendar.

The conviction of Compagna, et al. was affirmed as to all the appellants in a decision of the Circuit Court of Appeals on December 20, 1944 and certiorari in the Supreme Court was denied on April 2, 1945, rehearing of the denial of said petition for certiorari being denied on April 30, 1945.

Consideration is now being given in the Department to a proper disposition of the mail fraud case.

For your information, I respectfully refer to my letter to the Attorney General, dated February 5, 1945, wherein I discuss the peculiar interests of Harold V. Smith in apparently attempting to use the Department of Justice as a springboard to advance his personal ambitions within the labor union of which he is a member.

Since writing my letter of February 5, 1945, a memorandum, dated April 26, 1945, from the Special Agent in charge of the Federal Bureau of Investigation, in Los Angeles to the Director of the Federal Bureau of Investigation, has been brought to my attention which further tends to corroborate the character of Mr. Smith's assertions. An extract from this memorandum reads as follows:

> "Smith (Harold V. Smith) and Aller further stated that there is a case still pending in New York City in which a two per cent assessment deal was involved. They

BK:EK
86447
C114-102

Honorable Tom C. Clark,
Assistant Attorney General

May 11, 1945

"expressed the belief that this case would never be brought to trial for the reason that if brought to trial, Walsh and the other heads of the International would be in the same predicament as Browne and Bioff and their confederates are in at the present time, in the pending case. Smith and Aller were requested to produce any and all proof of their charges or suspicions. They at first stated that they were afraid to do so, and later admitted that they had no proof."

I am returning the papers enclosed with your letter, dated May 5, 1945 (Department of Justice inclosure No. 6823).

The delay in my reply to your letter has been caused by my absence from the city. If there is any further information which I may give you, please communicate with me.

Respectfully,

Boris Kostelanetz

BORIS KOSTELANETZ,
Special Assistant to
the Attorney General.

Enc.

Court Docket No. .....

FORM No. 336

United States District Court

Southern District of New York

THE UNITED STATES OF AMERICA

versus

ISADORE LEVIN,

Defendant.

NOLLE PROSEQUI

C 133-160

JOHN F. X. McGOHEY

United States Attorney,
Attorney for U.S.A.

Due service of a copy of the within is hereby admitted.

New York, ..., 19.....

.....
Attorney for

To

.....
Attorney for

Sir:

You will please take notice that a .....

of which the within is a copy, was this day duly entered in the within-entitled action, in the office of the Clerk of the .....

.....

Dated, N. Y., ..., 19.....

Yours, etc.,

.....
United States Attorney,
Attorney for

To

.....

Attorney for .....

FPI ATLANTA—5-2-48—10M—4478

RPW:FRGo
86447
checked in doc.
room by RPW

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA -v- ISADORE ZEVIN, Defendant.	NOLLE PROSEQUI C 113-169

The instant indictment, containing four counts charging perjury committed on or about April 24, 1942 before the Grand Jury for the Southern District of New York, contrary to the provisions of Title 18, Section 231, United States Code, was returned October 26, 1942, and on the same date was ordered, and has since remained sealed.

The Grand Jury at that time was inquiring into alleged violations of the Anti-Racketeering Act (18 U. S. C. 420a) and of the Mail Fraud and Conspiracy Statutes (18 U. S. C. 338, 88) on the part of FRANK NITTO, alias Frank Nitti, LOUIS COMPAGNA, alias Louis Cook, Lefty Louis, Little New York, PAUL deLUCIA, alias Paul Ricca, PHIL D'ANDREA, FRANCIS MARITOTE, alias Frank Diamond, CHARLES GIOE, alias Charlie Joy, RALPH PIERCE, JOHN ROSSELLI and LOUIS KAUFMAN, together with George E. Browne, William Bioff, Nick Circella, alias Nick Dean, and other unidentified confederates in relation to a course of conduct whereby sums in excess of $1,000,000 were extorted from producers and exhibitors in the motion picture business and whereby assessments in the sum of two percent (2%) of their weekly wages, levied against the members of International Alliance of Theatrical Stage Employees and Moving Picture Machine Operators of the United States (IATSE), purportedly for legitimate union purposes, were appropriated to the use and benefit of the subjects named, accompanied by use of the United States mails.

In connection with the Grand Jury's inquiry it became material to ascertain whether the defendant ISADORE

ZEVIN, a bookkeeper employed by one or more of the subjects, had audited, worked upon, or even seen the books of a theatre located in Chicago, Illinois, known as the Rialto Theatre, and whether he had had anything to do with that theatre other than perhaps visit it as a patron. ZEVIN under oath denied that he had done any of these things and it is this testimony which is charged, in the respective counts, to have been intentionally false.

On March 18, 1943, NITTO, COMPAGNA, deLUCIA, D'ANDREA, MARITOTE, GIOE, PIERCE, ROSSELLI and KAUFMAN were indicted for violation of the Anti-Racketeering Act - Browne, Bioff and Circella, who previously had been prosecuted successfully for the same offense, being named with divers other unknown persons as confederates - and that case was brought to trial. A conviction was obtained and on December 31, 1943, each of the defendants therein, except KAUFMAN, NITTO and PIERCE, received the maximum punishment which could be imposed under the statute, namely, imprisonment for a term of ten years and a fine of $10,000. KAUFMAN was sentenced to serve seven years in prison and was fined $10,000. NITTO committed suicide on the day the indictment was returned, and the indictment against PIERCE was dismissed by the Court at the end of the Government's case. These convictions were affirmed on appeal by the Circuit Court of Appeals and certiorari and rehearing were denied in the Supreme Court. The fines other than KAUFMAN'S were paid and the defendants entered upon and are presently serving the terms of imprisonment imposed.

Concurrently with the return of the "anti-racketeering" indictment, the Grand Jury also returned a companion indictment charging all of the same defendants, except KAUFMAN, with violations of the Mail Fraud and Conspiracy Statutes (18 U.S.C. 338, 88) in connection with the "2% assessment" fund, referred to above. In view of the convictions in the "anti-racketeering" case, a nolle prosequi of the "mail fraud" indictment, more fully setting forth the bases for the recommendation, was entered on May 6, 1947.

RPW:JM/c

On October 26, 1942, the date the instant indictment was returned, the Grand Jury also filed a second indictment of nine counts against this defendant ISADORE ZEVIN (C 113-162). The first six counts of this second indictment were perjury counts laid under Section 231, Title 18, United States Code: Counts I-III, inclusive, referred to false testimony given by him before the Grand Jury on July 23, 1941 and April 22, 1942 with respect to certain aspects of the "2% assessment" fund, unnecessary here to be set out in detail; Counts IV to VI, inclusive, related to similar false testimony given by him on April 21, 1942 before a Special Agent of the Bureau of Internal Revenue, Intelligence Unit, Treasury Department, in an investigation to determine the correctness of income tax returns of George E. Browne. Counts VII to IX, inclusive, recharged the matter contained in Counts IV to VI inclusive as violations of Section 80, Title 18, United States Code. On October 4, 1943 ZEVIN pleaded guilty to this second indictment and sentence was deferred, pending the trial and disposition of the 'anti-racketeering' and 'mail fraud' indictments. Both of those indictments having been disposed of, on May 9, 1947 the defendant was brought before the Court and imposition of sentence was suspended, ZEVIN being placed upon probation for a period of one day.

ISADORE ZEVIN, as above indicated, was employed as a bookkeeper by one or more of the principal defendants in the "anti-racketeering" and "mail fraud" indictments. Despite his associations, there is no evidence that he benefited beyond his salary from their illegal operations and, except for his involvement in the capacity described, he is a person of good reputation. In the development of the case he undid the harm of his perjury by cooperation

RPW:JM/c

with the Government, and was prepared to testify as a Government witness had the "mail fraud" case been brought to trial.

In the circumstances, in my opinion, no useful purpose will be served by further prosecuting this defendant, nor would the Government be warranted in spending the sums required to bring the indictment to trial. Upon the facts it appears improbable that a conviction could be obtained and, if it were, in view of the suspended sentence under Indictment No. C113-162, any sentence which might be imposed by a Court under the instant indictment undoubtedly would also be suspended. Accordingly I recommend that a nolle prosequi be entered herein.

Boris Kostelanetz, Esq., former Special Assistant to The Attorney General, who was in charge of the investigation and prosecution of all of the associated cases arising out of the motion picture industry extortion and allied activities of the group indicted in the "anti-racketeering" and "mail fraud" indictments referred to, has indicated that he concurs in this recommendation.

In a communication dated April 9, 1947, over the signature of The Assistant to the Attorney General, the Department has authorized and directed the disposition herein recommended.

Dated: New York, N. Y. May 1947.

Special Assistant to the United States Attorney.

Upon the foregoing recommendation, I hereby direct that a nolle prosequi be entered herein.

Dated: New York, N. Y., May 1947.

United States Attorney

Court Docket No. C 114-102

FORM NO. 336

United States District Court

Southern District of New York

THE UNITED STATES OF AMERICA

versus

FRANK NITTO, alias Frank Nitti, LOUIS CONFACHA, alias Louis Cook, alias Lefty Louis, alias Little New York, PAUL de LUCIA, alias Paul Ricca, PHIL D'ANDREA, FRANCIS MARITOTE, alias Frank Diamond, CHARLES GIOE, alias Charlie Joy, RALPH PIERCE, and JOHN ROSSELLI,

Defendants.

NOLLE PROSEQUI

JOHN F. X. McGOHEY,

United States Attorney,
Attorney for U.S.A.

Due service of a copy of the within is hereby admitted.

New York, ..., 19.....

Attorney for

To

Attorney for

FPI ATLANTA—8-2-48—10M—4478

Sir:

You will please take notice that a .....

of which the within is a copy, was this day duly entered in the within-entitled action, in the office of the Clerk of the .....

.....

Dated, N. Y., ..., 19.....

Yours, etc.,

.....

United States Attorney,
Attorney for

To

.....

Attorney for .....

Court Docket No. .....

FORM NO. 336

United States District Court

Southern District of New York

THE UNITED STATES OF AMERICA

versus

HARRY HOCHSTEIN,

Defendant.

ROLLE PROSECUT
C 115-271

Sir:

You will please take notice that a .....

of which the within is a copy, was this day duly entered in the within-entitled action, in the office of the Clerk of the .....

.....

Dated, N. Y., ..., 19.....

Yours, etc.,

.....

United States Attorney,
Attorney for

To

.....

Attorney for .....

JOHN F. X. McCOHEY,

United States Attorney,
Attorney for USA

Due service of a copy of the within is hereby admitted.

New York, ..., 19.....

.....

Attorney for

To

.....

Attorney for

FPI ATLANTA—8-2-45—10M—4475

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Ckd w/d/rm
RPWhearty

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK.

- - - - - - - - - - - - - - - - - - -x

UNITED STATES OF AMERICA, :

:

-v- :

:

HARRY HOCHSTEIN, :

Defendant. :

- - - - - - - - - - - - - - - - - - -x

NOLLE PROSEQUI

C 115-271

The instant indictment, filed September 28, 1943, contains four counts, each charging perjury committed on that date before the Grand Jury for the Southern District of New York, contrary to the provisions of Title 18, Section 231, United States Code.

The Grand Jury at that time was inquiring into alleged violations of the Anti-Racketeering Act (18 U.S.C. 420a) and of the Conspiracy Statute (18 U.S.C. 88) on the part of FRANK NITTO alias Frank Nitti, LOUIS COMPAGNA alias Louis Cook, Lefty Louis, Little New York, PAUL deLUCIA alias Paul Ricca, PHIL D'ANDREA, FRANCIS MAritote alias Frank Diamond, CHARLES GIOE alias Charlie Joy, RALPH PIERCE, JOHN ROSSELLI and LOUIS KAUFMAN, together with George E. Browne, William Bioff, Nick Circella, alias Nick Dean, and other unidentified confederates, in relation to a course of conduct whereby sums in excess of $1,000,000 were extorted from producers and exhibitors in the motion picture business. In that connection it became material to ascertain whether PAUL deLUCIA, LOUIS COMPAGNA, GEORGE E. BROWNE and one Charles Fischetti, separately or together, were present at a house in Riverside, Illinois, which was rented and maintained by the defendant herein during the year 1934. HOCHSTEIN under oath denied that they were, and it is this testimony which is charged, in the respective counts, to have been intentionally false.

NITTO, COMPAGNA, deLUCIA, D'ANDREA, MARITOTE, GIOE, PIERCE, ROSSELLI and KAUFMAN were indicted for violation of the Anti-Racketeering Act - Browne, Bioff and Circella, who previously had been prosecuted successfully for the same offense, being named with divers other unknown persons as confederates - and that case was brought to trial. A conviction was obtained and on December 31, 1943 each of the defendants therein, except KAUFMAN, NITTO and PIERCE, received the maximum punishment which could be imposed under the statute, namely, imprisonment for a period of ten years and a fine of $10,000. KAUFMAN was sentenced to serve seven years in prison and was fined $10,000. NITTO committed suicide on the day the indictment was returned, and the indictment against PIERCE was dismissed by the Court at the end of the Government's case. These convictions were affirmed on appeal by the Circuit Court of Appeals and certiorari and rehearing were denied in the Supreme Court. The fines, other than Kaufman's, were paid and the defendants entered upon and are presently serving the terms of imprisonment imposed.

Concurrently with the return of the 'anti-racketeering' indictment, the Grand Jury also returned a companion indictment charging all of the same defendants, except KAUFMAN, with violations of the Mail Fraud and Conspiracy statutes (18 U.S.C. 338, 88) in connection with the appropriation to their own use and benefit of funds assessed in the sum of two per cent (2%) of their weekly wages against the members of International Alliance of Theatrical Stage Employees and Moving Picture Machine Operators of the United States, (IATSE) a labor union with which the defendants had no official connection. The indictment alleged that such funds were assessed and collected under the false and fraudulent misrepresentation that they were to be used for legitimate union purposes. In view of the convictions in the 'anti-racketeering' case, a nolle prosequi of the 'mail fraud' indictment,

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C115-271

more fully setting forth the bases for the recommendation, is being entered herewith.

The defendant HARRY HOCHSTEIN, formerly a public official of the City of Chicago, for a period of some ten years prior to this indictment, had worked as a chauffeur for NITTO and others identified with gang activities in that City. Despite his associations, there was no evidence that he participated in or benefited from the illegal operations which formed the bases for the 'anti-racketeering' and 'mail fraud' indictments but his status in the case was merely that of a witness. The evidence upon which his indictment for perjury was obtained was that of informants whose credibility, in the absence of corroboration, would be open to sufficient question to preclude successful prosecution, and no corroboration is available.

In view of the foregoing, in my opinion, no useful purpose will be served by prosecuting the instant indictment nor would the Government be warranted in spending the sums required to bring the case to trial, particularly where such action may be coupled with a possibility that, upon conviction, if under the circumstances one could be obtained, a Court, considering the period of time which has elapsed since the offense was committed would probably suspend the imposition of sentence or the execution of any sentence which might be imposed. Accordingly, I recommend that a nolle prosequi be entered herein.

Boris Kostelanetz, Esq., former Special Assistant to the Attorney General, who was in charge of the investigation and prosecution of all of the associated cases arising out of the motion picture industry extortions and allied activities of the group indicted in the 'anti-racketeering' and 'mail fraud' indictments referred to, has indicated that he concurs in this recommendation.

chk'd with D.J.
by RPW 86447

UNITED STATES DISTRICT COURT,

SOUTHERN DISTRICT OF NEW YORK.

UNITED STATES OF AMERICA	:	
-v-	:	
FRANK NITTO, alias Frank Nitti, LOUIS COMPAGNA, alias Louis Cook, alias Lefty Louie, alias Little New York, PAUL de LUCIA, alias Paul Ricca, PHIL D'ANDREA, FRANCIS MARITOTE, alias Frank Diamond, CHARLES GIOE, alias Charlie Joy, RALPH PIERCE, and JOHN ROSSELLI,	:	NOLLE PROSEQUI C 114-102
Defendants.	:	

The instant indictment, filed March 18, 1943, contains three substantive counts charging violations of the mail fraud statute (18 U.S.C. 338) and a conspiracy count (18 U.S.C. 88) predicated upon the underlying illegal agreement to commit the completed offenses. In substance, it is alleged that the defendants, together with George E. Browne, William Bioff, Nick Circella, Isadore Zevin and other unidentified confederates, conspired to defraud the members of the International Alliance of Theatrical Stage Employees and Moving Picture Machine Operators of the United States (IATSE), a labor union with which only Browne, Bioff, Circella and Zevin were officially connected, by levying a two per cent (2%) assessment against their weekly wages for purposes represented to be bona fide union activities, whereas it was the plan and intention of the defendants and confederates throughout to appropriate the funds so assessed to their own use and benefit. In carrying the scheme into effect, the indictment charges, various uses of the mails were made.

At the time the instant indictment was returned the Grand Jury for this Southern District of New York also returned a companion indictment of one count charging violation of the Anti-Racketeering Act (18 U.S.C. 420a(a)(b)(d)) on the part of all of the same defendants and, in addition, one Louis Kaufman. The combined indictments concerned a course of conduct by which the defendants and their agents extorted over $1,000,000 from producers and exhibitors engaged in the motion picture business and looted the union in that industry of its funds.

Since the indictments could not be tried together, the Government elected to try the anti-racketeering indictment first. That case was successfully prosecuted and a conviction obtained. On December 31, 1943, each of the defendants, except Kaufman, Nitto and Pierce, received the maximum punishment which could be imposed under the statute, namely, imprisonment for a period of ten years and a fine of $10,000. Kaufman was sentenced to serve seven years in prison and was fined $10,000. Nitto committed suicide on the day the indictments were returned, and the indictment against Pierce was dismissed by the Court at the end of the Government's case.

Thereafter, a writ of habeas corpus ad prosequendum was issued for the convicted racketeers and on March 3, 1944, pursuant to that writ, they were brought into Court to fix a date for the trial of the instant "2% assessment" indictment. Defense counsel then requested that the trial of this mail fraud case be adjourned until a final disposition, involving the completion of appellate steps, had been made in the anti-racketeering case. The Court granted the request, and, accordingly, the instant indictment was marked off the calendar.

The conviction in the anti-racketeering case was affirmed as to all the appellants in a decision of the Circuit Court of Appeals on December 20, 1946, and a petition for certiorari in the Supreme Court was denied on April 2, 1945. Rehearing of the denial of certiorari was denied on April 30, 1945.

In view of the foregoing, in my opinion, no useful purpose will be served by further prosecution of the defendants under the instant indictment. The prison sentences imposed are currently being served and the fines, other than Kaufman's, have been paid and the Government would not be warranted in spending the large sums of money required to bring the case to trial, particularly where such action may be coupled with a possibility that, upon conviction, concurrent jail sentences may be imposed by a Court which may regard the activities covered by the two indictments as essentially one course of conduct. As to Pierce, it is doubtful, in view of the dismissal as against him in the anti-racketeering case, that a conviction could be obtained under the instant indictment. Accordingly, I recommend that a nolle prosequi be entered herein.

Boris Kostelanetz, Esq., former Special Assistant to the Attorney General, who was in charge of the investigation and prosecution of all of the associated cases arising out of the motion picture industry extortions and allied activities of the group herein indicted, has indicated that he concurs in this recommendation.

In a communication dated April 9, 1947, over the signature of The Assistant to the Attorney General, the Department has authorized and directed the disposition herein recommended.

Dated: New York, N. Y., May 6, 1947.

Special Assistant to the United States Attorney.

In view of the foregoing recommendation, I hereby direct that a nolle prosequi be entered herein.

Dated: New York, N. Y., May 6, 1947.

United States Attorney.

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C115-271

In a communication dated April 9, 1947, over the signature of The Assistant to The Attorney General, the Department has authorized and directed the disposition herein recommended.

Dated: New York, N.Y., May 8, 1947.

Special Assistant to the United States Attorney.

Upon the foregoing recommendation, I direct that a nolle prosequi be entered as to the defendant HARRY HOCHSTEIN.

Dated: New York, N.Y., May 1947.

United States Attorney.

Room 1404
UNITED STATES COURT HOUSE
Foley Square
New York 7, N.Y.

January 29, 1945

Mr. Harold V. Smith,
Business Representative
Local 695, IATSE
1680 North Vine Street
Hollywood 28, California

Sir:

In reply to your letter, dated January 16, 1945, and its enclosure containing a copy of a letter sent by you to local unions of the IATSE under date of January 10, 1945, I am pleased to advise you of the present status of the so-called 2% Assessment case.

On March 18, 1943, the United States Grand Jury for the Southern District of New York filed two indictments charging violations of the Anti-Racketeering Act and of the mail fraud statute. The first indictment named nine defendants: Frank Nitto, Louis Compagna, Paul de Lucia, Phil D'Andrea, Francis Maritote, Charles Gioe, Ralph Pierce, John Rosselli, and Louis Kaufman. The second indictment charging mail fraud and relating to the 2% Assessment Fund named all the foregoing individuals as defendants except Kaufman.

Since the indictments could not be tried together, the Government elected to try the anti-racketeering indictment first. As you know, this case was successfully prosecuted and a conviction was obtained on December 31, 1943. Each of the named defendants except Kaufman, Nitto, and Pierce received the maximum punishment which could be imposed under the statute, namely imprisonment for a period of ten years and a fine of $10,000. Kaufman was sentenced to serve seven years in prison and was fined $10,000. Nitto committed suicide on the day that the indictment was returned, and the indictment against

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C114-101-2

Pierce was dismissed by the Court at the end of the Government's case. Thereafter, a writ of habeas corpus ad prosequendum was issued for the convicted racketeers and on March 8, 1944, pursuant to that writ they were brought to court to fix a date for the trial of the 2% Assessment case. Defense counsel then requested that the trial of the 2% Assessment case be adjourned until a final disposition, involving the completion of appellate steps, had been made in the anti-racketeering case. The Court granted this request and accordingly the case was marked off the calendar.

The conviction of Compagna, et al. was affirmed in a decision of the Circuit Court of Appeals on December 20, 1944, and I am advised that the Supreme Court of the United States will be asked to review the holding of the Circuit Court of Appeals.

The delay in answering your letter has been caused by the absence of the undersigned from the city.

Respectfully,

BORIS KOSTELANETZ,
Special Assistant to
the Attorney General.

TLC:WFD:FF

123-51-18

September 11, 1945

Charles H. Carr, Esq.
United States Attorney
Los Angeles, California

Dear Mr. Carr:

Re: William Morris Bioff

An inquiry, addressed to Walter M. Urich, Parole Executive, was recently received from C. H. Mendor, Chief United States Probation Officer for your district, concerning the present whereabouts of William Morris Bioff, and whether Bioff is to be returned to the Southern District of California in the near future.

At present Bioff is on five years probation granted him by the United States District Court for the Southern District of New York effective from December 26, 1944. Boris Kostelanetz, Special Assistant to the Attorney General, is advised that Bioff is mortally in fear of his life from friends of those in the underworld against whom he informed as a government witness, and consequently it is very unlikely that he will, at any time in the near future at least, again appear on the public scene.

For your information, Mr. Kostelanetz advises that one Harold V. Smith, of Los Angeles, a convicted petty thief and vagrant, and a former Bioff lieutenant, has recently been the source of rumors to the effect that Bioff has returned to California. It is his belief that Smith has been motivated to make these and other similar statements by reason of controversies within the politics of his union, and by now he has become known to the Los Angeles Office of the FBI as a fabricator of complaints. If any additional information is desired in connection with this matter please advise.

Respectfully,

For the Attorney General

CHERON L. CAUDLE
Assistant Attorney General

CC: Records ✓
Miss Healy
Mr. Delaney
Prisons (Miss Grant)
Mr. Kostelanetz
Chron.

FILE
BY HAM
On JAN 1 1945

December 21, 1944

John F. X. McKahey, Esq.,
United States Attorney
New York, N. Y.

123-51-15

Dear Mr. McKahey:

Re: United States vs William Bioff
and George E. Browne

On Wednesday, December 13, Mr. Boris Kostelanetz submitted to me a memorandum, prepared by him, dated December 9, 1944, regarding the above captioned defendants, stating that the Honorable John C. Knox, Judge for the Southern District of New York, on November 12, 1941, sentenced Bioff to a term of ten years and Browne to a term of eight years. In addition to the prison terms each man was fined twenty thousand dollars. In each case the court imposed a suspended sentence of ten years on the third count of the indictment, and ordered that the defendants be placed on probation for five years following their release from prison.

Judge Knox, as the trial judge, thereafter kept the term of court open. Information and testimony given by these two defendants aided the Government in breaking a gang in Chicago that had succeeded to Al Capone's power in the Chicago underworld. Their conviction has been unanimously affirmed by the Circuit Court of Appeals, and Mr. Kostelanetz has recommended to me that I approve and authorize him to assent to a petition, to be filed with the Honorable John C. Knox, for reduction of sentence.

I shall have no objection to Mr. Kostelanetz assenting to the petition and appearing before Judge Knox for disposition of the matter by him.

Sincerely,

Attorney General

Sent Space Delivery
12-21-44 at 6:45 pm

DEC 21

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C110-2
C114-101

DEPARTMENT OF JUSTICE
Room 1404
UNITED STATES COURT HOUSE
Foley Square
New York 7, N.Y.

PERSONAL AND CONFIDENTIAL

December 9, 1944

Honorable James P. McGranery
Assistant to the Attorney General
Washington, D. C.

Re: William Bioff and George E. Browne

Sir:

In accordance with our conversation I am pleased to enclose in duplicate a memorandum relative to ameliorating the sentences of informers Bioff and Browne.

I am also taking the liberty of enclosing copies of newspaper comment which has appeared in the past dealing with previous public reaction concerning a possible reduction in the sentences of the informers. The first is an editorial by S. Burton Heath, dated May 11, 1943, which I understand appeared in Scripps-Howard newspapers, and the second is an article by Westbrook Pegler, dated February 25, 1943.

Respectfully,

Boris Kostelanetz

BORIS KOSTELANETZ,
Special Assistant to
the Attorney General.

Enc.

JUN 9 - 1947

FEDERAL BUREAU OF INVESTIGATION

Criminal Division

Form No. 1
THIS CASE ORIGINATED AT NEW YORK

NY FILE NO. 60-652 ND

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
NEW YORK	MAY 22 1947	5/19,20/47	PAUL E. ERTZINGER (A)

TITLE	CHARACTER OF CASE
WILLIAM BIOFF, with aliases, Willie Wieff, William Byoff, Morris Bieff, Henry Martin, William Berg, ____Berger, ____Link, William Bronsen, Morris W. Bieff, L. L. Berg, Morris Beoff, William Berger; GEORGE E. BROWNE, with alias, George E. Brown; NICKOLAS DEANI CIRCELLA, with aliases, Nickolas Circella, Nick Circella, Nick Dean, Nick Ciriello Nickolodean, Mike Circella; LOUIS COMPAGNA, with aliases, "Lefty Louie" Compagna, "Little New York" Compagna, Louie Cook, Louie Carmini, Louis Compagne, Lugi Compagna, Louis Campagnia, Morino C. Cook; PHILIP L. D'ANDREA, with aliases, Philip LaVerne, Philip Martin; PAUL DE LUCIA, with aliases, Paul Ricca, Paul deLucca, Paul Villa, "The Waiter", Paul Salvi, Paul Viela, Paolo Maglio, Paul Maglio; CHARLES GIOE, with aliases, "Cherry Nose", Charlie Joy; LOUIS KAUFMAN; FRANCIS MARITOTE, with aliases, Frank Diamond, Frank Parmaratta, Frank Romano, Francis Tote, Francis Marotiti, Frank Permaritto; RALPH PIERCE; JOHN ROSELLI, with alias, John F. Stewart; ISADORE ZEVIN, with alias, Isidore Zevin;	ANTI-RACKETEERING MAIL FRAUD.

SYNOPSIS OF FACTS:

O'Brien

Noted
PB

SYNOPSIS OF FACTS: Nolle Prosequi entered 5/6/47 as to Mail Fraud indictment of COMPAGNA, DE LUCIA, D'ANDREA, MARITOTE, GIOE, PIERCE and ROSELLI. Nolle Prosequi also entered as to HENRY HOCHSTEIN on 5/6/47 and to ISADORE ZEVIN on 5/9/47, charged with perjury before a Grand Jury.

APPROVED AND FORWARDED:	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES
		123-51-15

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2 - New York

CRIM.-GEN. CRIME SEC.

U. S. GOVERNMENT PRINTING OFFICE 7—2034

NY 60-652

ZEVIN on probation one day and imposition of sentence suspended 5/9/47 on Perjury indictment to which he plead guilty, 10/4/43. Perjury complaint against ANDREW J. ROACH dismissed on 1/25/46.

- C -

REFERENCES: Bureau file 60-2149.
Report of SA PAUL E. ERTZINGER (A), 10/31/45, New York.

DETAILS: At New York:

An examination of the criminal docket of the U.S. District Court, Southern District of New York, reflects that on May 6, 1947, a nolle prosequi was entered and filed as to all the defendants charged with using the mails in furtherance of a scheme to defraud and conspiracy - Sec. 338 and 88, Title 18, U.S.C., in U.S. District Court Indictment #114-102, returned March 18, 1943. The defendants named in this indictment and against whom a nolle prosequi has been entered are as follows:

LOUIS COMPAGNA
PAUL DE LUCIA
PHILIP D'ANDREA
FRANCIS MARITOTE
CHARLES GIOE
RALPH PIERCE
JOHN ROSELLI

On May 6, 1947, a nolle prosequi was also entered and filed as to HENRY HOCHSTEIN, who had been indicted on September 28, 1943, U.S. District Court Indictment #115-271, charged with Perjury before a Grand Jury.

A further examination of the criminal docket of the U.S. District Court, Southern District of New York, reflects that on May 9, 1947, ISADORE ZEVIN was sentenced by Judge JOHN BRIGHT as follows:

"Imposition of sentence suspended and placed on probation for one day."

ZEVIN was indicted on October 26, 1942, (Indictment #113-162) for Perjury before a Grand Jury and plead guilty on October 4, 1943, but sentencing was withheld until after disposition of the remaining defendants in this case. A sealed indictment #113-160 was also returned on October 26, 1942

charging ZEVIN with Perjury before a Grand Jury. This indictment was opened and a nolle prosequi was entered and filed on May 9, 1947.

There has been no process outstanding against WILLIAM BIOFF, GEORGE E. BROWNE, NICKOLAS DEANI CIRCELLA and LOUIS KAUFMAN since 1941 when all were indicted, either plead guilty or were convicted, and were sentenced. However, these four subjects were referred to in indictments #114-101 (anti-racketeering) and 114-102 (mail fraud), not as defendants, but as confederates of the defendants. Special Assistant to the Attorney General RAYMOND P. WHEARTY advises that no further action is anticipated as to these four subjects since the statute of limitations has run and no process is outstanding.

Mr. WHEARTY also advised that the complaint filed by Mr. BORIS KOSTELANETZ on December 2, 1943 against ANDREW J. ROACH, charging Perjury, was dismissed on January 25, 1946 on a motion filed before Judge BONDY, Southern District of New York, docket #J-5430.

Disposition sheets for the following subjects are being forwarded to the Bureau with this report:

LOUIS COMPAGNA
PAUL DE LUCIA
PHILIP L. D'ANDREA
FRANCIS MARITOTE
CHARLES GIOE
RALPH PIERCE
JOHN ROSELLI
HENRY HOCHSTEIN
ISADORE ZEVIN

ENCLOSURES TO BUREAU

9 disposition sheets on above named subjects.

- C L O S E D -

ADDRESS REPLY TO
"UNITED STATES ATTORNEY"
AND REFER TO
INITIALS AND NUMBER

RFW
86447
C114-101,102

United States Department of Justice

UNITED STATES ATTORNEY
UNITED STATES COURT HOUSE
FOLEY SQUARE
SOUTHERN DISTRICT OF NEW YORK
NEW YORK 7, N. Y. rs-c

May 9, 1947

RECEIVED
MAY 14 1947
Criminal Division

Douglas W. McGregor, Esq.,
The Assistant to the Attorney General,
Department of Justice,
Washington 25, D.C.

Dear Mr. McGregor:

This is to advise you that, responsive to the authorization and direction contained in your letter of April 9, 1947, the following action has been taken with respect to each of the cases there listed:

Noted ars

123-51-1

United States v. Louis Compagna, et al
Mail Fraud - Indictment No. C114-102
A nolle prosequi was entered May 6, 1947.

United States V. Harry Hochstein
Perjury - Indictment No. 115-271
A nolle prosequi was entered May 6, 1947.

United States v. Isadore Zevin
Perjury - Indictment No. 113-162
On this date, May 9, 1947, upon the Government's recommendation, District Judge John Bright suspended the imposition of sentence and placed the defendant upon probation for one day.

United States v. Isadore Zevin
Perjury - Indictment No. 113-160
On this date, May 9, 1947, the indictment which previously had been sealed, was ordered open and thereupon a nolle prosequi thereof was entered.

T. R.

File
JMP

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The preparation and entry of these nolle prosequis were handled by Mr. Whearty, to whom the cases were assigned as recommended by Mr. Kostelanetz, and he also appeared for the Government upon the sentencing of the defendant, Isadore Zevin.

For departmental purposes, I enclose two copies of each of the nolle prosequis entered.

Sincerely,

JOHN F.X. McGOHEY
United States Attorney

Enclosures